

104TH CONGRESS
2D SESSION

H. R. 3974

To amend the Foreign Assistance Act of 1961 to prohibit the provision of assistance to foreign governments that provide assistance to Cuba.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 2, 1996

Mr. ZIMMER introduced the following bill; which was referred to the Committee on International Relations

A BILL

To amend the Foreign Assistance Act of 1961 to prohibit the provision of assistance to foreign governments that provide assistance to Cuba.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. PROHIBITION ON ASSISTANCE TO FOREIGN**
4 **GOVERNMENTS PROVIDING ASSISTANCE TO**
5 **CUBA.**

6 (a) IN GENERAL.—Section 620 of the Foreign Assist-
7 ance Act of 1961 (22 U.S.C. 2370) is amended by adding
8 at the end the following new subsection:

9 “(y)(1) No assistance may be provided under this Act
10 (other than humanitarian assistance and assistance for

1 refugees), and no assistance or sales may be provided
2 under the Arms Export Control Act, for a fiscal year to
3 any foreign government that the President determines has
4 provided economic assistance to or engaged in nonmarket-
5 based trade with the Government of Cuba, or any entity
6 controlled by such Governments in the preceding fiscal
7 year.

8 “(2) For purposes of paragraph (1)—

9 “(A) the term ‘humanitarian assistance’ means
10 food (including the monetization of food), clothing,
11 medicine, and medical supplies; and

12 “(B) the term ‘nonmarket-based trade’ includes
13 exports, imports, exchanges, or other trade arrange-
14 ments under which goods or services are provided on
15 terms more favorable than those generally available
16 in applicable markets or for comparable commod-
17 ities, including—

18 “(i) exports to the Government of Cuba on
19 terms that involve a grant, concessional price,
20 guaranty, insurance, or subsidy;

21 “(ii) imports from the Government of Cuba
22 at preferential tariff rates;

23 “(iii) exchange arrangements that include
24 advance delivery of commodities, arrangements
25 in which the Government of Cuba is not held

1 accountable for unfulfilled exchange contracts,
2 and arrangements under which such Govern-
3 ment does not pay appropriate transportation,
4 insurance, or finance costs; and

5 “(iv) the exchange, reduction, or forgive-
6 ness of debt of the Cuban Government in re-
7 turn for a grant by the Cuban Government of
8 an equity interest in a property, investment, or
9 operation of the Cuban Government or of a
10 Cuban national.”.

11 (b) EFFECTIVE DATE.—

12 (1) IN GENERAL.—Except as provided in para-
13 graph (2), the prohibition on assistance to a foreign
14 government contained in section 620(y) of the For-
15 eign Assistance Act of 1961, as added by subsection
16 (a), shall apply only with respect to assistance pro-
17 vided in fiscal years beginning on or after the date
18 of the enactment of this Act.

19 (2) EXCEPTION.—In the case of the fiscal year
20 in which this Act is enacted, such prohibition shall
21 apply with respect to the obligation or expenditure
22 of assistance on or after the date of the enactment
23 of this Act.

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